

BILL NO. S-71-06-09

SPECIAL ORDINANCE NO. S-708-71

AN ORDINANCE approving Agreement for Sewer Extension between MINI MANSIONS PARK and CITY OF FORT WAYNE for construction of sanitary sewer in area north of Dunkelberg Road and east of Bluffton Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement for Sewer Extension, approved May 24, 1971 between MINI MANSIONS PARK, as Developer, and the City of Fort Wayne, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer as follows:

Beginning at the existing manhole located on the East side of Harbor Ditch (Fairfield Ditch) and immediately South of the South right-of-way line of the proposed Baer Field Expressway; thence Southerly along the East side of said Harbor Ditch, a distance of 240 \pm lineal feet to a proposed manhole; thence Easterly in and along a proposed easement running parallel and adjacent to the North edge of a proposed public street, being the Westerly extension of Dunkelberg Road, a distance of 2,250 \pm lineal feet, to a proposed manhole located on the North side of Dunkelberg Road and East of State Road 1; thence continuing Easterly along a proposed easement adjacent to the North of Dunkelberg Road, a distance of 400 \pm lineal feet, terminating at a proposed manhole,

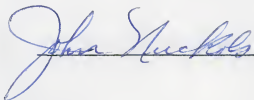
Said sewer is to be 12 and 27 inches in diameter,

for a total cost of \$41,913.95 to be paid by Developer; City will pay the sum of \$9,913.80 to Developer for oversizing, all as more particularly set forth in said Agreement which is on file in the office of the Board of Public Works and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. The Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the water main covered in said Agreement, or any extension thereof, shall be deemed to thereby

waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation to said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

_____

APPROVED AS TO FORM
AND LEGALITY, _____


CITY ATTORNEY

Read the first time in full and on motion by Nuckols seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Public Works (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 19____, at _____ o'clock P.M., E.S.T.

Date: 6-8-71

Freud G. Bonakoon
City Clerk

Read the third time in full and on motion by Nuckols seconded by Fay and duly adopted, placed on its passage.
Passed (~~lost~~) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	_____	ABSENT	_____	to-wit:
Adams	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Dunifon	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Fay	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Geake	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Nuckols	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Robinson	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Rousseau	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Steigerwald	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Tipton	<u>✓</u>	_____	_____	_____	_____	_____	_____	

Date 6-22-71

Freud G. Bonakoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~)(~~General~~)(~~Annexation~~)(~~Special~~)(~~Appropriation~~) Ordinance (~~Resolution~~) No. S-705-71

on the 22d day of June, 19 71.

ATTEST: (SEAL)

Freud G. Bonakoon
City Clerk

Walter H. Hays
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23d day of June, 19 71 at the hour of 8:30 o'clock A.M., E.S.T.

Freud G. Bonakoon
City Clerk

Approved and signed by me this 24th day of June, 19 71, at the hour of 10:42 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-06-09

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
approving Agreement for Sewer Extension between MINI MANSIONS PARK and CITY OF
FORT WAYNE for construction of sanitary sewer in area north of Dunkelberg Road and
east of Bluffton Road,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

JOHN NICKOLS, CHAIRMAN

CELIA ANN FAY, Vice-Chairman

JOHN H. ROBINSON

EDWIN J. ROUSSEAU

WILLIAM K. GRAKE

John Nickols
Celia Ann Fay
John H. Robinson
Edwin J. Rousseau
William K. Grake

CONCURRED IN

DATE 6-22-71 FUAD G. BONAHOOM, CITY CLERK